

REMARKS

Claims 1-3 and 5-28 have been examined. Claims 1, 18, 19, 23, 27 and 28 have been rejected under 35 U.S.C. § 102(e) and claims 2, 3, 6, 12, 20 and 21 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 5, 7-11, 13-17, 22 and 24-26 contain allowable subject matter.

I. Preliminary Matters

The Examiner has objected to claim 1 due to a minor typographical error. Accordingly, Applicant has amended claim 1 in a manner believed to overcome the objection.

II. Rejections under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1, 18, 19, 23, 27 and 28 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Publication No. 2007/0088950 to Wheeler et al. ("Wheeler").

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, the present invention involves prevention of a repudiation of an account holder of a message and an account authority of a message by an intermediate party signing on a transmitted message of an account holder (where the terms "account holder," "account authority," etc. are the terms used in Wheeler; see Fig. 3). In addition, in the present invention, a communication is done through a plurality of intermediate parties (i.e., relay devices). In Wheeler, however, a transmitted message of an account holder is approved/rejected by a digital signature of an account authority.

In the present invention, the information of transmission, reception, mid-routes, etc., at a time of message transmission/reception, needs to be capable of later verification since prevention

of repudiation is generally done after communication. Such a prevention of repudiation is not taught or suggested in Wheeler.

Furthermore, as set forth above, in the present invention, a message sent from an account holder to an account authority is sent through a plurality of intermediate parties. Repudiation is prevented by an intermediate party signing on a transmitted message of an account holder on communication routes including midpoints. On the other hand, Wheeler fails to teach or suggest the use of a plurality of intermediate parties. Thus, Wheeler fails to teach or suggest any means for confirming communication (i.e., preventing repudiation), since an intermediate party does not sign on a transmitted message.

Turning to specific recitations of the claim, claim 1 recites, “wherein a jth apparatus transmits a notification of a reception of nth electronic data to said receiving apparatus when said nth apparatus receives said nth electronic data from a (j-1)th apparatus.”

In regard to the above, the Examiner refers to paragraph [0121] of Wheeler. As disclosed, when the device 350 (alleged transmitting apparatus) sends data to the intermediate party 310 (alleged apparatus), the intermediate party 310 in turn sends the data to the account authority 312 (alleged receiving apparatus). Accordingly, while Wheeler arguably discloses that a notification is transmitted from the alleged apparatus 310 to the alleged receiving apparatus 312, there is no teaching or suggestion that the data transmitted by the alleged apparatus 310 was originally sent to the alleged apparatus 310 by *another* or additional apparatus 310. For example, claim 1 specifically recites that the “jth” apparatus transmits the notification when the nth apparatus receives nth electronic data from a “(j-1)th” apparatus. Wheeler clearly fails to teach this feature

as only one alleged apparatus 310 is shown in Figure 3. As set forth in paragraph [0125], Wheeler discloses that additional parties can be provided . There is, however, no teaching or suggestion that if additional intermediate parties 310 were provided, that such parties would transmit/receive data in the specific manner recited in claim 1.

Furthermore, claim 1 recites, “said jth apparatus generates (j+1)th electronic data which comprise said nth electronic data and said receiver authenticator with a signature of the nth apparatus assigned thereto, and transmits said (j+1)th electronic data to a (j+1)th apparatus.”

The Examiner refers to paragraphs [0122]-[0123] of Wheeler in regard to the above features. Applicant submits, however, that Wheeler merely discloses that the alleged apparatus 310 can notify the *account holder* 302 of an approval or rejection made by the alleged receiving apparatus 312. There is no teaching or suggestion that any data is sent to an additional apparatus (i.e., (j+1)th apparatus) after the approval or rejection, let alone that electronic data which comprises the nth electronic data and the receiver authenticator with a signature of the nth apparatus assigned thereto is sent to an additional apparatus.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited reference.

B. Claim 18

Since claim 18 contains features that are analogous to the features discussed above for claim 1, Applicant submits that claim 18 is patentable for at least analogous reasons as claim 1.

C. Claims 19 and 23

Since claims 19 and 23 are dependent upon claim 18, Applicant submits that such claims are patentable at least by virtue of their dependency.

D. Claims 27 and 28

Applicant submits that claims 27 and 28 are patentable for at least analogous reasons as claim 1.

III. Rejections under 35 U.S.C. § 103(a) in view of Wheeler and U.S. Patent No. 6,092,191 to Shimbo et al. (“Shimbo”)

The Examiner has rejected claims 2, 6 and 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable in view of Wheeler and Shimbo. Since claims 2, 6 and 12 are dependent upon claim 1, however, and Shimbo fails to cure the deficient teachings of Wheeler, in regard to claim 1, Applicant submits that claims 2, 6 and 12 are patentable at least by virtue of their dependency.

IV. Rejections under 35 U.S.C. § 103(a) in view of Wheeler, Shimbo and U.S. Patent No. 6,760,444 to Leung (“Leung”)

The Examiner has rejected claims 3, 20 and 21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wheeler. Since claims 3, 20 and 21 are dependent upon one of claims 1 or 18, however, and Shimbo and Leung fail to cure the deficient teachings of Wheeler, in regard to claims 1 and 18, Applicant submits that claims 23, 20 and 21 are patentable at least by virtue of their dependency.

V. Allowable Subject Matter

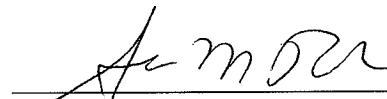
As set forth above, the Examiner has indicated that claims 5, 7-11, 13-17, 22 and 24-26 contain allowable subject matter.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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